

RESOLUTION NO. 86-121

RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH ABATEMENT

BEFORE THE CITY COUNCIL OF THE CITY OF LODI IN THE MATTER OF

Overruling Objections and
Determining to Proceed with RESOLUTION NO. 86-121
Abatement

The City Council adopted Resolution No. 86-93 on July 2, 1986 which by its terms the Council elected to proceed under Government Code sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the city and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city; and

A public hearing was held on August 6, 1986 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On July 2, 1986, the council elected to proceed under Government Code sections 39501-39588 and did declare as a public nuisance all weeds growing upon the streets, sidewalks and private property in the city and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city, all as more particularly described in Resolution No. 86-93 adopted July 2, 1986.

(2) The council fixed August 6, 1986 at the hour of 7:30 o'clock p.m., in the city council chambers, 221 West Pine Street, Lodi, as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt, and the director of public works was designated as the person to perform the duties imposed by Government Code sections 39560-39588 upon the superintendent and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt and did in the time and manner prescribed by law cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; the city did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 86-93 in the time, form and manner prescribed by law.

(3) The city council did hold a public hearing on August 6, 1986 and no objections either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented and the hearing was closed on August 6, 1986.

(4) The superintendent is ordered to abate the nuisance declared by Resolution No. 86-93 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the superintendent may enter upon private property to abate the nuisance. Before the superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his own expense.

(5) The superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code section 39574.

Adopted by the City Council of the City of Lodi on August 6, 1986 by the following vote:

Ayes: Council Members - Olson, Hinchman, Pinkerton,
Snider and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Attest:


Alice M. Reimche
City Clerk

EXHIBIT A

L O D I F I R E D E P A R T M E N T

WEED ABATEMENT LIST

July 29, 1986

This list supersedes previous one:

1. Southern Pacific Railroad
J. H. Bachar, Superintendent
P. O. Box 3036
Bakersfield CA 93385

Attn: J. B. Maxwell, Admin. Engineer

RE: a. Southern Pacific mainline areas within the city limits of Lodi.

1. Mokelumne River south to Turner Road:
Work started but not completed.
2. Turner Road south to Kettleman Lane:
Non-compliance.
3. Kettleman Lane south to Harney Lane:
Work started but not completed,
including their vineyard in the area of the
1900 block of south Church Street.

- b. Southern Pacific General Mills spur track, from Pleasant Avenue to Mills Avenue:

Majority in compliance meeting minimal standards; however, the area where the 500 block of Olive Court meets the railroad tracks still needs attention.

- c. Southern Pacific eastern spur, along Victor Road, from Beckman Road to Cluff Avenue:

In compliance.

- d. 856 North Sacramento Street (041-180-25)

Work started but not completed.

July 29, 1986

2. Dr. Gordon B. Roget Dr. Gordon B. Roget
Attn: Randy Roget P. O. Box 13
510 South Fairmont Ave. Ashley ND 58413
Lodi CA 95240

RE: 510 South Fairmont Avenue (vacant area) 033-080-27

Work started but not completed:

- a. Tree line area along parking lot needs the remainder of dry weed growth removed.
- b. Area to the northeast needs dry regrowth removed.
- c. Area bordering neighboring parking lot to the north needs dry weed growth removed.
- d. The dead trees have been removed.

3. Mr. Angelantonio DeRubes
2755 Ordway Street, NW 406
Washington DC 20008

RE: 713 South Sacramento Street (045-240-07)

NOTE: This property has been declared an emergency by the Fire Prevention Bureau and the City Attorney. Abatement work was ordered done and completed by Naturescape, 401 Clowe Ct., Lodi, at a cost of \$310 (see attached copy).



Don Hawkinson
Fire Inspector

DH:lk
Attachment